

Senate Bill No. 377

CHAPTER 596

An act to add Section 124586 to the Health and Safety Code, relating to health.

[Approved by Governor September 28, 2003. Filed with Secretary of State September 29, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

SB 377, Chesbro. Health services.

Under existing law, the State Department of Health Services administers a program for American Indian health services and is required to use funds appropriated to the department for the purposes of the program to provide specified assistance to urban and rural American Indian health programs and to assist these programs in planning, implementing, and upgrading programs to attain a comprehensive health services delivery system for American Indians in urban and rural areas. Existing law provides for the award of contracts and grants for purposes of the program.

This bill would require the department to provide semiannual prospective payments to a grantee during a 12-month fiscal period, in accordance with specified criteria, to the extent funds are available.

The people of the State of California do enact as follows:

SECTION 1. Section 124586 is added to the Health and Safety Code, to read:

124586. (a) Notwithstanding any other provision of law, the department shall, to the extent that funds are available, provide to a grantee under this chapter semiannual prospective payments, as specified in this section, during a 12-month fiscal year.

(b) The first semiannual prospective payment, in an amount equal to not more than 50 percent of the total grant, shall be processed for payment to the grantee following the enactment of the annual Budget Act, and upon formal execution of the grant by the state and shall be contingent upon both of the following:

(1) A written request for payment from the grantee.

(2) The grantee's timely and accurate submission, and the department's approval, of the progress reports required under the grant, budget expenditure report, and annual reconciliation report, from the prior year.

(c) Based upon the grantee's timely and accurate submission of the progress reports and budget expenditure reports from the grant year, and satisfactory performance under the grant, the processing of a second semiannual prospective payment of not more than 40 percent of the total grant shall be processed by the department for payment to a grantee no earlier than January 1 during the term of the grant year. The processing of the grantee's second semiannual prospective payment by the department shall be contingent upon both of the following:

- (1) A written request for payment from the grantee.
- (2) The grantee's timely and accurate submission, and the department's approval, of progress reports and budget expenditure reports.

(d) Any remaining amount, which shall be at least 10 percent of the total grant award, shall be retained by the department, pending satisfactory submission by the grantee of all progress reports required by the grant, budget expenditure reports, and an annual reconciliation report for the grant year. Payment of the withheld amount shall be processed by the department for payment to the grantee contingent upon both of the following:

- (1) A written request for payment from the grantee.
- (2) The grantee's timely and accurate submission, and the department's approval, of all progress reports required under the grant, budget expenditure reports from the grant year, the annual reconciliation report for the grant year, and satisfactory performance under the grant.

